



U.S. Department  
of Transportation

Research and  
Special Programs  
Administration

400 Seventh Street, S.W.  
Washington, D.C. 20590

JAN 4 2005

DOT-E 12207  
(FIFTH REVISION)

EXPIRATION DATE: November 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: EMD Chemicals Inc.  
Cincinnati, OH
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of certain hazardous materials listed in paragraph 6 below across a public road, from one part of a plant to another. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 171.1(a)(1), 172.200(a) in that shipping papers are not required; 172.301(c) and 172.302(c) in that the exemption number marking requirement is waived, except as specified herein.
5. BASIS: This exemption is based on the application of EM Chemicals, Inc., dated December 9, 2004, submitted in accordance with § 107.109.

JAN 4 2005

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Class 3,8,9, Division 4.1,4.2, 4.3,5.1,5.2,6.1 (including PIH materials)	As Appro- priate	As Appro- priate	As Appro- priate

7. SAFETY CONTROL MEASURES: Prescribed packagings must be in accordance with the requirements of the Hazardous Materials Regulations, as appropriate.

8. SPECIAL PROVISIONS:

a. This exemption only authorizes the material listed in paragraph 6, packaged in accordance with HMR, to be transported across a public road from one part of a plant to another. Materials covered under this exemption must be transported by vehicles owned and operated by EMD Chemicals Inc.

b. The maximum quantity of materials transported per shipment (trip) is twenty-four (24) skids (pallets).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: No additional requirements other than as required by the HMR.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

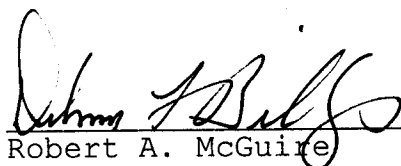
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

*for* 

Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

**JAN 4 2005**

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: sln